

# **EXHIBIT 21**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

- - -

Gerardo Campos, et al., :  
:  
Plaintiffs, :  
:  
vs. : Case No.  
: 3:12-cv-01529-ADC  
Safety-Kleen Systems, :  
Inc., et al., :  
:  
Defendants. :  
- - -

DEPOSITION OF PETER G. SHIELDS, M.D.

- - -

Friday, May 9, 2014  
9:19 o'clock a.m.  
Crabbe, Brown & James  
500 South Front Street  
Suite 1200  
Columbus, Ohio 43215

- - -

ANN FORD  
REGISTERED PROFESSIONAL REPORTER

- - -

1 APPEARANCES:

2 MICHAEL A. ROBB, Attorney at Law  
3 (Appearing Telephonically)  
4 Clark, Robb, Mason, Coulombe,  
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11 On behalf of the Plaintiffs.

12 HEATHER J. FORGEY, Attorney at Law  
13 Jones, Carr, McGoldrick  
14 Premier Place  
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16 Suite 1700  
17 Dallas, Texas 75206  
18 (214) 828-9200  
19 (214) 828-9229  
20 Heather.Forgey@JCMFirm.com

21 On behalf of the Defendants Safety-Kleen  
22 Systems, Inc. and Safety-Kleen  
23 Corporation.

24 FRANCISCO COLÓN, Attorney at Law  
25 (Appearing Telephonically)  
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(787) 753-1656 fax  
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26 On behalf of the Defendant Makita  
27 U.S.A., Inc.

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1 FRIDAY MORNING SESSION  
2 May 9, 2014  
3 9:19 o'clock a.m.  
4

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7 STIPULATIONS  
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11 It is stipulated by and between counsel  
12 for the respective parties herein that this  
13 deposition of PETER G. SHIELDS, M.D., a Witness  
14 herein, called by the Plaintiffs under the statute,  
15 may be taken at this time and reduced to writing in  
16 stenotypy by the Notary, whose notes may thereafter  
17 be transcribed out of the presence of the witness;  
18 and that proof of the official character and  
19 qualifications of the Notary is waived.  
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## 1                   I N D E X

2                   - - -

## 3                   WITNESS

## PAGE

4                   PETER G. SHIELDS, M.D.

5                   Examination  
(By Mr. Robb)

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7                   Examination  
(By Ms. Forgey)

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8                   - - -

## 9                   EXHIBITS

## MARKED

10                  Exhibit No. 1

6

11                  (Cleveland Clinic Website Info on  
Diseases & Conditions, Leukemia)

12                  Exhibit No. 2

6

13                  (Johns Hopkins Website Info on  
Leukemia Risk Factors)

14                  Exhibit No. 3

6

15                  (Children's Leukemia Research Assoc, Inc.  
Website Info by Peter H. Wiernick, M.D.)

16                  Exhibit No. 4

6

17                  (Cancer Council Website Info on Causes  
of chronic myeloid leukaemia)

18                  Exhibit No. 5

6

19                  (Montana Cancer Control Section  
Quarterly Surveillance Report  
Re: Leukemia, Lymphoma, and Myeloma)

20                  Exhibit No. 6

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21                  (Document on Leukaemia)

22                  Exhibit No. 7

6

23                  (University of Michigan Document  
by Dale Bixby, M.D., Ph.D., 2009)

24                  Exhibit No. 8

6

25                  (Search Health24 Website Info on  
Leukaemia)

1 I N D E X

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3 EXHIBITS

MARKED

4 Exhibit No. 9

6

(UC Davis Comprehensive Cancer Center  
5 Website Info on Leukemia)

6 Exhibit No. 10

6

(Irish Cancer Society Website Info on  
7 Causes and Prevention of  
chronic myeloid leukaemia (CML))

8 Exhibit No. 11

6

(Cancer Research UK Website Info on  
chronic myeloid leukaemia (CML)  
10 risks and causes)

11 Exhibit No. 12

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(Objections by Defendants Safety-Kleen)

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## PROCEDINGS

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PETER G. SHIELDS, M.D.,

7 being by me first duly sworn, as hereinafter  
8 certified, testifies and says as follows:

## EXAMINATION

10 BY MR. ROBB:

11 Q. Good morning, Doctor. Please state your  
12 name and your professional address, please.

13 A. Peter Gary Shields. My professional  
14 address, although not here as part of my professional  
15 activities for Ohio State University, is the James  
16 Cancer Center, Ohio State University Comprehensive  
17 Cancer Center, The Ohio State University, 300 West  
18 10th Street, Columbus, Ohio 43210.

19 Q. Doctor, do you believe Benzene causes  
20 leukemia?

21 | A. Which type of leukemia?

22 Q. Does it cause leukemia in general, Doctor?

23 A. No. It causes a specific type of leukemia  
24 called acute myelogenous leukemia.

25 Q. Okay. Have you testified in the past in

1 Q. Okay. Doctor, you'll agree that there are  
2 studies that do statistically link Benzene exposure  
3 to CML?

4 A. Rare studies.

5 Q. But you do agree there are studies that  
6 support the plaintiff's position in this particular  
7 case that Benzene can cause the CML that he has in  
8 this particular case?

9 MR. COLÓN: Objection to form.

10 BY MR. ROBB:

11 Q. Right?

12 A. Among the dozens of studies that address  
13 the question, there's maybe one or one-and-a-half  
14 that will support their contention.

15 Q. And those are specifically relevant  
16 studies, are they not?

17 A. Well --

18 MR. COLÓN: Objection as to form.

19 A. -- relevant is a different question.

20 The answer is no.

21 Q. They are statistically valid studies,  
22 aren't they, Doctor?

23 MR. COLÓN: Same objection.

24 A. They're using acceptable statistical  
25 analysis if that's what you're asking me.

1 Q. **That's what I'm asking you, Doctor. The**  
2 **studies that show a link between CML and Benzene**  
3 **exposure are based on sound statistical principles,**  
4 **correct?**

5 MR. COLÓN: Objection as to form.

6 MS. FORGEY: Objection to form.

7 Mr. Robb, can we have an agreement that an  
8 objection by one is good for both defendants?

9 MR. ROBB: Absolutely. I don't want our  
10 court reporter to run out of the room screaming.

11 A. So I'm talking specifically about two  
12 studies.

13 Q. **Doctor, there's more than two studies that**  
14 **link CML to Benzene exposure, you would agree with**  
15 **that?**

16 A. No, I don't.

17 MS. FORGEY: Objection. Form.

18 A. I don't agree with that.

19 Q. **Okay. What two studies -- what are the**  
20 **only two studies in the world, according to you, that**  
21 **link CML to Benzene exposure?**

22 MS. FORGEY: Objection. Form.

23 A. So there's one by Atigoke --

24 Q. **Yes, sir.**

25 A. -- which has a lot of issues.

1                   And the other one, when I said a half, is  
2 because there's a study by -- wait -- so it's the  
3 Glass study or Vlaanderen. I think it's the Glass  
4 study -- I would have to look at it -- where at lower  
5 levels -- or intermediate levels, I should say, there  
6 was a statistical relationship, and at a higher  
7 level, there was not a statistical relationship.

8                   **Q.            Okay. And that last study you just talked**  
9 **about, the statistical relationship in the mid-level**  
10 **was three times what somebody that was unexposed to**  
11 **the chemical would experience, correct?**

12                  A.            I'm pulling the papers so we're talking  
13 exactly. Well, actually, that's not correct. So at  
14 the mid-level exposure -- now I'm referring to Glass,  
15 2014 --

16                  **Q.            Yes, sir.**

17                  A.            -- it's at levels of greater than  
18 2.933 ppm -- I'm sorry -- at levels between .348 and  
19 2.93 ppm, the risk which was statistically  
20 significant was 5.04; but at the higher level, the  
21 risk drops and is no longer statistically  
22 significant, and the trend test was not  
23 significant -- was not significant.

24                  **Q.            5.04 is a solid statistical relative risk**  
25 **to establish a connection, correct?**

1 A. I guess I don't understand that question.

2 Q. Well, 2.0 would mean that there's a --

3 well, 1.0 is a statistical -- well, strike that.

4 Let me ask this. You would agree that  
5 there are studies where the relative risk of Benzene  
6 and CML being associated are greater than 2.0?

7 MS. FORGEY: Objection. Form.

8 A. So I just gave you the two studies,  
9 correct?

10 Q. Okay. And you, in fact, yourself believe  
11 that CML can be caused by Benzene exposure, correct?

12 MR. COLÓN: Objection as to form.

13 A. Say that again.

14 Q. You yourself believe that Benzene can  
15 cause CML, do you not?

16 A. No. I don't believe that.

17 Q. You've never believed that, right?

18 A. No.

19 Q. Okay. Well, you know, I didn't ask that  
20 very well. That was like a double negative.

21 A. Yeah.

22 Q. Have you ever believed that Benzene causes  
23 CML?

24 A. Not that I can recall.

25 Q. Doctor, in order to determine what causes